IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.2173 OF 2006.

(Gayatri Education Society Vs. Secretary Union of India & oth..)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. N.N. Thengre, Advocate for Petitioner.

CORAM : A.H.JOSHI AND R.C.CHAVAN, JJ.

DATED : JUNE 21, 2007.

1. Petitioner seeks to challenge order of recalling and refund of financial assistance given to the petitioner.

2. Petitioner's grievance is that by impugned communication the CAPART while seeking assistance from Vidharbha Handicrafts Artisans Welfare Association for recovery from the petitioner, has used the words as 'the petitioner institution has been blacklisted'.

3. We find that financial assistance is not a matter of recurring opportunity of contract a thing of similar nature. All that the authorities have informed by communicating is that the petitioner institution has been debarred from availing

facilities and has failed to comply the project in time, the assistance given by the Government is sought to be refunded.

3. The impugned direction for seeking refund is not shown to be illegal or passed without observing the principles of natural justice.

4. We, on the other hand, find that zealous efforts were taken to verify whether the project was properly implemented. No haste has been done while taking impugned action. Senior Officers were posted to look into utilisation of the fund and being satisfied that the project has not been duly implemented then only the recovery has been ordered.

5. We, therefore, find that no interference is called for, the petition is dismissed.

JUDGE. **JUDGE.**

RR.